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SEP 26 2006

## **CORRECTION REQUEST**

**APPLICATION NO#:**  
**10/568,607**

**ATTORNEYS:**  
Lucas & Mercanti, LLP  
475 Park Avenue South, 15<sup>th</sup> Floor  
New York, New York 10016  
(212) 661-8000  
(212) 661-8002

**To Whom It May Concern:**  
The following enclosure is a correction request, thank you.

TDM/mts

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Our Ref # TSU-46

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Toshio KIYOKAWA et al. :

Serial No.: 10/568,607 : Dated 09/26/2006

Filing date: 02/15/2006 :

Title: SPHERE-SHAPED COATED MAGNESIUM OXIDE :  
POWDER, METHOD FOR PRODUCING THE  
SAME, AND RESIN COMPOSITION COMPRISING :  
THE POWDER

-----X

REQUEST FOR CORRECTION OF 1 ERROR IN FILING RECEIPT

Attn: OIPE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir,

We respectfully request correction of 1 error appearing in the filing receipt mailed in the above-identified application. The error is the following:

- 1) The title is incorrect. The title is not SPHERICAL COATED MAGNESIUM OXIDE POWDER AND METHOD FOR PRODUCING THEREOF, AND RESIN COMPOSITION COMPRISING THE POWDER. The correct title is SPHERE-SHAPED COATED MAGNESIUM OXIDE POWER, METHOD FOR PRODUCING THE SAME, AND RESIN COMPOSITION COMPRISING THE POWDER.

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Enclosed is a marked-up copy of the filing receipt  
and a marked-up copy of the inventors declaration to  
support the corrections.

Respectfully submitted,

LUCAS AND MERCANTI, LLP

By: 

Timothy D. Meade 55,449  
Attorney for Applicant(s)  
475 Park Avenue South  
15<sup>th</sup> Floor  
New York, New York 10016

Encl: Marked-up Copy of Filing Receipt

Marked-up Copy of Inventors Declaration

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Page 1 of 3

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	DOCKETED	CLASSIFICATION NO	DRAWINGS	TOT CLMS	IND CLMS
10/568,607	02/15/2006	1755	900	By: <u>mps</u>	TSU46		13	2

20311  
LUCAS & MERCANTI, LLP  
475 PARK AVENUE SOUTH  
15TH FLOOR  
NEW YORK, NY 10016**RECEIVED**THOMAS  
MPS**SEP 22 2006**

CONFIRMATION NO. 9164

**FILING RECEIPT**

\*OC000000020440459\*

Date Mailed: 09/18/2006

**LUCAS & MERCANTI LLP**

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt Incorporating the requested corrections (if appropriate).

**Applicant(s)**Toshio Kiyokawa, Hyogo, JAPAN;  
Kaori Yamamoto, Hyogo, JAPAN;  
Masaaki Kunishige, Hyogo, JAPAN;**Power of Attorney:** The patent practitioners associated with Customer Number 20311.**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/JP03/15953 12/12/2003

**Foreign Applications**

JAPAN 2003-346083 10/03/2003

If Required, Foreign Filing License Granted: 09/14/2006

**The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/568,607****Projected Publication Date:** 12/21/2006**Non-Publication Request:** No**Early Publication Request:** No

Title

**Incorrect**  
Spherical coated magnesium oxide powder and method for producing thereof, and resin composition comprising the powder

Preliminary Class  
106

**CORRECT → SPHERE-SHAPED**

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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### LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

#### GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

DOCKET NO. \_\_\_\_\_

**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SPHERE-SHAPED COATED MAGNESIUM OXIDE POWDER, METHOD FOR PRODUCING THE SAME, AND RESIN COMPOSITION COMPRISING THE POWDER

the specification of which (check only one item below):

\_\_\_\_\_ is attached hereto.

X was filed as United States Application No. or as PCT International Application No.

PCT/JP03/15953 on 12/December/2003 and was amended on

\_\_\_\_\_ (if applicable).

CORRECT

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to the examination of this application as defined by 37 CFR 1.56.

**FOREIGN AND DOMESTIC PRIORITY CLAIMS UNDER 35 USC 119  
AND PRIOR FOREIGN/PCT APPLICATIONS**

I hereby claim foreign or domestic priority benefits under 35 USC 119 or 365(b) for any United States provisional patent application or foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or under 35 USC 365(a) for any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's or plant breeder's rights certificate(s) or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY/APPLICATION NO. (if PCT, indicate "PCT")	DATE OF FILING (day/month/year)	PRIORITY CLAIMED UNDER 35 USC 119
Japan / 2003-346083	03/October/2003	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO
		<input type="checkbox"/> YES <input type="checkbox"/> NO

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS  
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120**

I hereby claim the benefit under 35 USC 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose material information as defined in 37 CFR 1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PCT/US APPLICATION NO.	PCT/US FILING DATE	PATENTED	PENDING	ABANDONED
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**POWER OF ATTORNEY AND CORRESPONDENCE ADDRESS**

I hereby appoint the following attorneys at the address listed below to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith and to receive all correspondence in connection with this application:

Donald C. Lucas, Registration No. 31,275

Otho B. Ross, Registration No. 32,754

Michael N. Mercanti, Registration No. 33,966

Timothy D. Meade, Registration No. 55,449

Laurence Manber, Registration No. 35,597

**ADDRESS** Lucas and Mercanti, LLP  
475 Park Avenue South  
New York, NY 10016  
Tel: 212-661-8000  
Fax: 212-661-8002

**CUSTOMER NO. 20311**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**INVENTOR IDENTIFICATION AND SIGNATURE**

FULL NAME OF SOLE OR FIRST INVENTOR Toshio KIYOKAWA  
INVENTOR'S SIGNATURE Toshio Kiyokawa DATE January 24, 2006  
RESIDENCE Hyogo, Japan  
CITIZENSHIP Japan  
POST OFFICE ADDRESS c/o Tateho Chemical Industries Co., Ltd., 974, Aza Kato, Kariya, Ako-shi, Hyogo  
678-0239 JAPAN

FULL NAME OF SECOND INVENTOR Kaori YAMAMOTO  
INVENTOR'S SIGNATURE Kaori Yamamoto DATE January 24, 2006  
RESIDENCE Hyogo, Japan  
CITIZENSHIP Japan  
POST OFFICE ADDRESS c/o Tateho Chemical Industries Co., Ltd., 974, Aza Kato, Kariya, Ako-shi, Hyogo  
678-0239 JAPAN

FULL NAME OF THIRD INVENTOR Masaaki KUNISHIGE  
INVENTOR'S SIGNATURE Masaaki Kunishige DATE January 24, 2006  
RESIDENCE Hyogo, Japan  
CITIZENSHIP Japan  
POST OFFICE ADDRESS c/o Tateho Chemical Industries Co., Ltd., 974, Aza Kato, Kariya, Ako-shi, Hyogo  
678-0239 JAPAN

FULL NAME OF FOURTH INVENTOR \_\_\_\_\_  
INVENTOR'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
RESIDENCE \_\_\_\_\_  
CITIZENSHIP \_\_\_\_\_  
POST OFFICE ADDRESS \_\_\_\_\_

Cont...YES [ ] NO [X]